

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JONATHAN BANKS,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

Case No. 2:12-cv-01535-JCM-CWH

ORDER

This matter is before the Court on Plaintiff's Motion to Serve Party With Summons and Complaint (#18), filed December 27, 2012.

Plaintiff's affidavit to proceed *in forma pauperis* was previously approved. (#2). As a result thereof, the Clerk of Court was instructed to issue a summons to the United States Attorney for the District of Nevada and deliver the summons and complaint to the United States Marshal for service. The summons issued on August 30, 2012. (#5). To date, no proof of service has been filed as to the United States Attorney for the District of Nevada. Rather than reissue a summons, the United States Marshal should file a proof of service if it has been effectuated. To the extent service has not been effectuated, the United States Marshal shall again attempt to complete service on the United States Attorney for the District of Nevada. Accordingly,


IT IS HEREBY ORDERED that Plaintiff's Motion to Serve Party With Summons and Complaint (#18) is **denied in part and granted in part**.

IT IS FURTHER ORDERED that Clerk of Court shall provide a copy of this Order to the United States Marshal.

IT IS FURTHER ORDERED that the United States Marshal shall deliver a copy of the summons and complaint to United States Attorney for the District of Nevada at the following address:

1 United States Attorney's Office
2 333 Las Vegas Boulevard South, Ste. 500
3 Las Vegas, Nevada 89101

4 Dated this 2nd day of January, 2013.

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7 C.W. Hoffman, Jr.
8 United States Magistrate Judge
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